

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
EASTERN DIVISION

GEORGE D. McCARLEY,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 3:06-cv-091-MEF
	)	LEAD CASE
HOUSEHOLD FINANCE	)	
CORPORATION III	)	
	)	
Defendant.	)	

**ORDER**

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objections (Doc. #17) to the Recommendation of the Magistrate Judge (Doc. #16) filed on October 24, 2006 are overruled;
2. The Recommendation of the Magistrate Judge entered on October 13, 2006 is adopted;
3. Plaintiff's claims against Tim Flynn and Civil Action No. 3:06-cv-92-MEF, are DISMISSED for failure to state a claim.
4. Plaintiff's claims against J. D. O'Toole and Civil Action No. 3:06-cv-94-MEF, are DISMISSED for failure to state a claim.
5. Plaintiff's claims against Kenneth H. Robin and Civil Action No. 3:06-cv-95-MEF, are DISMISSED for failure to state a claim.
6. Plaintiff's claims against Alan W. Jebson and Civil Action No. 3:06-cv-96-MEF,

are DISMISSED for failure to state a claim.

7. Plaintiff's claims against Thomas M. Detelich and Civil Action No. 3:06-cv-97-MEF, are DISMISSED for failure to state a claim.

8. Plaintiff's claims against Siddarth N. Mehta and Civil Action No. 3:06-cv-98-MEF, are DISMISSED for failure to state a claim.

9. Plaintiff's claims against William F. Aldinger, III Civil Action No. 3:06-cv-99-MEF, are DISMISSED for failure to state a claim.

10. Plaintiff's claims against Gary S. Esposito and Civil Action No. 3:06-cv-100-MEF, are DISMISSED for failure to state a claim.

11. Plaintiff's claims against David Dew and Civil Action No. 3:06-cv-105-MEF, are DISMISSED for failure to state a claim.

12. All of plaintiff's federal constitutional claims against all defendants are DISMISSED for lack of subject matter jurisdiction.

13. All of plaintiff's claims under the Truth In Lending Act against all defendants, as untimely, are DISMISSED.

14. Plaintiff's claims under the Real Estate Settlement Procedures Act against KMPG are DISMISSED for failure to state a claim.

15. All of plaintiff's state law contract claims against all defendants, pursuant to the doctrine of *res judicata*, are DISMISSED.

16. This case is referred back to the Magistrate Judge for appropriate proceedings.

DONE this the 15th day of November, 2006.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE